

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION**

In re:

MARVIN FOSTER,

CHAPTER 13

DEBTOR.

CASE NO. 20-10018

OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

COMES NOW, MTGLQ Investors, L.P. ("Secured Creditor"), by Counsel, and objects to the confirmation of the Chapter 13 Plan (the "Plan") and in support thereof, represents unto the Court:

1. Secured Creditor has a claim against the property of the Debtor located at 5328 Kelmscot Rd, Rosedale, MD 21237 by virtue of the Note and accompanying Deed of Trust.

2. Secured Creditor is in the process of preparing and filing a Proof of Claim, which will include pre-petition arrears of approximately \$26,632.65.

3. The Plan is underfunded, as it fails to provide for repayment of the entire arrearage. Furthermore, the figures in Section 4.6.2 are contradictory, as 52 monthly arrears payments of \$401.44 result in a repayment of \$20,874.88, not \$25,000.00 as shown.

4. Secured Creditor therefore objects to confirmation of the Plan.

5. Any Chapter 13 Plan proposed by the Debtor must provide for and eliminate the objections specified above in order to be feasible and to provide adequate protection to this Secured Creditor. It is respectfully requested that this Court deny confirmation of the Plan.

WHEREFORE, the undersigned requests as follows:

1. That confirmation of the proposed Plan be denied;
2. That the Debtor be required to modify the Plan to honor the terms and conditions of the Deed of Trust; and

3. For such other relief as this Court deems proper.

MTGLQ Investors, L.P.

By: **/s/ Nisha R. Patel**

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CERTIFICATE OF SERVICE

I certify that on January 28, 2020, the foregoing Objection was served via CM/ECF on Robert S. Thomas, II, Trustee, and Jeffrey M. Sirody, Counsel for Debtor, at the email addresses registered with the Court, and that a true copy was mailed via first class mail, postage prepaid, to Marvin Foster, Debtor, 5328 Kelmscot Rd, Rosedale, MD 21237.

/s/ Nisha R. Patel

Nisha R. Patel, Esquire
Samuel I. White, P. C.